

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 17780 of 2007

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Dated 21st August 2007

Between:

M/s.YPR College of Engineering & Technology.

... Petitioner

and

The Secretary,
Regional Transport Authority, Siddipet,
Medak District & another.

... Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 17780 OF 2007

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ORDER:

The bus bearing No.AP-29T-0407, was seized on 17.8.2007, on the ground that the petitioner failed to produce the necessary documents, in relation to it. The petitioner challenges the seizure.

Heard the learned counsel for the petitioner and learned Government Pleader for the respondents.

A perusal of the Vehicle Check Report, dated 11.8.2007, issued by the 2nd respondent, discloses that the petitioner failed to produce the proof of payment of tax, permit and Registration Certificate. Certain other lapses were also pointed out. The liability of the petitioner, in the context of these observations, needs to be established, in the

proceedings to be initiated under the relevant provisions of the Motor Vehicles Act. If the vehicle is detained and kept in the custody of the 2nd respondent, till such proceedings take place, not only the petitioner would be put to irreparable loss, but also the vehicle would be exposed to the danger of theft and damage. The interest of the State can be protected, by imposing necessary conditions, while permitting the petitioner to keep the custody of the vehicle.

For the foregoing reasons, the writ petition is disposed of, directing that;

- a) The bus bearing No.AP-29T-0407, shall be released to the petitioner, on its depositing a sum of Rs.5,000/- (Rupees five thousand Only).
- b) The petitioner shall also furnish an undertaking, to the effect that it shall not alienate the vehicle, till the proceedings in pursuance of the Check Report are finalized, and that he shall produce the vehicle, as and when required.
- c) The petitioner shall be entitled to operate the vehicle only after obtaining the necessary documents of the vehicle and after paying the tax.

There shall be no order as to costs.

2007

21st August

Note: Issue operative portion by wire.

(B/o)
PAN

